

Sunsets 1/1/2016

48-2c-1701 Right of action.

A member may bring an action in the right of a company to recover a judgment in its favor:

- (1) if the managers or, if no managers, the members with authority to do so have refused to bring the action and the decision of the managers or members not to sue constitutes an abuse of discretion or involves a conflict of interest that prevents an unbiased exercise of judgment; or
- (2) if an effort to cause those managers or members to bring the action is not likely to succeed.